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Grievances on Board the Sandwich at the Nore
London Pub^d June 30. 1797, by G. Thompson, Old Bailey.*



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PRICE SIX-PENCE.

T H E
Whole Trial and Defence
O F
RICHARD PARKER, K
PRESIDENT OF THE
DELEGATES,
F O R
Mutiny, &c.

On board the SANDWICH, and others of His Majesty's
Ships, at

T H E N O R E,
In May, 1797.

Before a Court Martial, held on board the
NEPTUNE, of 98 Guns,

Laying off GREENHITHE, near Gravesend,

On THURSDAY, 22d of JUNE, 1797,
and following Days.

TAKEN IN SHORT-HAND.

L O N D O N :

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T H E T R I A L O F RICHARD PARKER, &c.

THURSDAY Morning, June 22, 1797, about ten o'clock, the Members of the Court Martial appointed to try **RICHARD PARKER**, lately of His Majesty's ship *Sandwich*, for Mutiny and Disobedience of Orders, assembled on board the *Neptune*, of 98 guns, lying at Greenhithe. The Court opened in about half an hour afterwards. **PARKER** was introduced, guarded by a Serjeant, seemingly of the Artillery, for his uniform was blue, faced with scarlet. This Serjeant stood during the whole trial, opposite to **PARKER**, with a drawn sword in his hand, erected in the face of the Prisoner. The Serjeant was the only man in Court who wore his hat during the proceedings.

The following Gentlemen composed it.

ADMIRAL PASLEY, PRESIDENT.

Sir E. Gower,		
Capt. Stanhope,	—	<i>Neptune.</i>
— Williamfon,	—	<i>Agincourt.</i>
— Markham,	—	<i>Centaur.</i>
— Wells,	—	<i>Lancaster.</i>
— Sir J. Williams,		<i>Endymion.</i>
— Ricou,	—	<i>Princess Augusta.</i>
— Sir F. Laforey,	—	<i>Hydra.</i>
— King,	—	<i>Sirius.</i>
— Lane,	—	<i>Acolta.</i>
— Pierpoint,	—	<i>Naiad.</i>

The Members of the Court being sworn, and Mr. **BENSTEAD**, the Deputy Judge Advocate, having taken the Oath of Secrecy.

The Order of Government to the Lord High Admiral for the Court-Martial was read. It stated, "Whereas we have received information from Vice-Admiral **BUCKNER**, Commander of the Fleet at the Nore,

and by divers other letters, that a Mutiny had taken place on board the Sandwich, on or about the 12th of May last, and did continue for several days, to the evil example of His Majesty's Fleet, and that RICHARD PARKER was active in promoting the same; and whereas we think fit that the said RICHARD PARKER should be tried by a Court Martial for such offence, we, therefore, direct you to assemble a Court-Martial to inquire into the conduct of the said RICHARD PARKER on board His Majesty's Ships, or any of them, and also, for his contempt and disobedience to his Officers."

The oath was then taken by the several Captains composing the Court.

All the witnesses were ordered out of Court, till such time as they should be called to be examined.

John Sims, a witness, who had been summoned on behalf of the prisoner, not appearing, Mr. John Snipe, the Surgeon of the Sandwich, was sworn, and stated that the witness the prisoner had called, was confined to his bed by illness.

The oath administered to each witness was, I swear by God, and as I shall answer to Almighty God at the day of judgment, that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth, so help me God.

CHARLES BUCKNER, *Admiral of the White, sworn.*

Q. Did the prisoner belong to the Sandwich?

A. Yes, he was reported to me as belonging to her, but I do not know in what capacity.

Q. Do you know the prisoner? A. Yes.

Relate to the Court what you know of the prisoner's making any mutinous attempt on board his Majesty's fleet, on or about the 12th day of May last, or of any disrespectful conduct or expressions used by him on board or on shore, at any time afterwards during the said mutiny.

A. I know nothing of the prisoner individually. The first time I observed any thing particular in the prisoner's conduct, farther than parading about with a vast number of people and a red flag preceeding them on shore, was on or about the 20th of May, when I went on board the Sandwich for the purpose of making known to the people of that ship and other ships his Majesty's Proclamation of pardon, on their returning to their duty, on the terms granted to their brethren at Spithead, which they (the men styling themselves Delegates, with Parker the prisoner amongst them) had previously declared they would be satisfied with. On my going on board with the flag in my boat, there was no preparation for receiving me, nor any respect shewn me whatever. The Officers, as I understood, were without their side arms, and had no command of the ship. Unwilling to return on shore without having an opportunity of speaking to the people, I waited a considerable time

who

when Parker, the prisoner, with others, came on the quarter deck and said, that none but themselves (meaning, I presume, the ship's company) should be there. He (the prisoner) then tendered me a paper, containing what he and the rest called a list of grievances, saying at the same time, till those were redressed, and the personal attendance of the Admiralty ratified it, they would not give up the power they held in their hands. Finding any thing I could say of no avail, I went on shore. On or about the 22d, certain troops arrived at Sheerness. I do not speak individually of Parker, but of the mutineers in general. About the 23d my flag was struck on board the Sandwich, I don't say by whom. I don't charge any individual, it was struck without orders. About that time, in the evening of that day, I was at the Commissioner's house: while I was examining into the complaints alleged against two marines by part of the military, a man whom they called Davis, with, I believe, three or four others, came abruptly into the Commissioner's house at Sheerness, and demanded why those men, meaning the marines, were in custody; they said my flag was struck, that I had no authority, and that the power was in their hands. They then took the men away, as they said, to try them for being on shore. I avoid repeating what I said to them. It may be taken for granted I remonstrated as much as possible with them. Parker told me that he was not to be intimidated. About the 4th of June I received a letter from Parker, to the best of my recollection, styling himself President, signed with the name of Richard Parker, saying that administration had acted improperly in stopping the provisions allowed to the men, and that the *foolish Proclamation* was calculated to inflame the minds of honest men. I have nothing particular more to relate. I have had frequent conferences with him, at the head of many others, with the hopes of bringing them to a sense of their mutinous conduct, but without any good effect. He, the Prisoner, took the lead as spokesman.

Q. Did he act with any degree of insolence?

A. Sometimes; not always. He took the lead, appealing to them whether he was not authorized, and whether it was not their wish he should do so, and he even prevented one man in particular, whose name I know not, from answering a question I had put to him.

Q. Was he a seaman?

A. I do not know. He prevented him with threats, saying, "If you speak, I will speak to you." While I was on board the Sandwich, I expostulated with them on the impropriety of keeping those disgraceful ropes called Yard Ropes, on board, and endeavoured to prevail on them to pull them down. The men styling themselves Delegates replied, that the ship's company would not suffer them.

President. In the different conferences you had with the Prisoner did their appear any insolence in his behaviour?

A. Fre-

A. Frequently, but not uniformly so, very often otherwise; sometimes there was a great deal of modesty in his behaviour, and he conducted himself with a great deal of apparent respect.

President. Who was the Officer that brought the report of the mutiny? Was Lieutenant Justice the Officer who brought the report of the Mutiny having broke out on board the Sandwich on the morning of the 12th of May? A. Yes.

Q. Did you not order Lieutenant Justice of the Inflexible, while I was President at a Court Martial, to break up that Court, and wait on you for orders? A. Yes.

President. Read Admiral Buckner's Letter.

Admiral Buckner's letter was here read, giving an account of the Mutiny. It was dated 12th May, at Sheerness, and stated, that a Mutiny had made its appearance at the Nore, on board the Sandwich, that the Crew had taken the command from the Officers, and that the Marines had joined them. The letter then proceeded to describe the Mutiny generally, and concluded, by observing, that it had been originally owing to a disbelief of the Act of Parliament having passed, and that it had afterwards been fomented by mischievous individuals.

A letter from Captain Moss was next read, giving an account of the Mutiny having broke out. The next letter was one of Parker's, which had been sent to Admiral Buckner. It was brought on shore by an old man, after the Proclamation had been sent on board the fleet. The letter was dated the 3d of June, and was to the following effect:

S. I R,

"I am commanded by the Committee of the Sandwich to inform you, that they have this day taken possession of, and appointed Delegates for the whole fleet. We are uniformly of opinion that the conduct of the Admiralty has been highly improper, in stopping the provisions allowed by Government to the Seamen, and that the foolish Proclamation which we have received is only calculated to exasperate the minds of a set of honest men, who would never be more happy than in serving their country."

To Admiral Buckner.

Being asked whether he was certain the letter was genuine, he expressed his certainty that it was from Parker.

Q. What number of persons were there at the Commissioner's house, when the two Marines were examined?

A. There were Parker and Davis, and four or five more.

Q. What number of Military were the Marines in charge of?

A. I do not know.

Cross-examined by Parker the Prisoner.

Q. You have related that you was on board the Sandwich on or about the 20th of May, and received no respect. Who was on board first, you or myself? A. I believe I was.

Q. Do

Q. Do you deem me the person that caused you to be received with no respect? **A.** Not having seen you in any overt acts of Mutiny, I cannot speak to that question.

Parker.—I ask the question to shew that I did not influence the ship's company. Did I not come to you on the quarter-deck and inform you it must have originated entirely in a mistake that you was not received with that honour due to you; but that if you would excuse it then, we were ready to give you three cheers now?

A. He did come to me and say that it was a mistake, and that no disrespect was intended me. Some faint attempts were made to man the yards, but it subsided, and the yard ropes continued.

Q. Do you recollect going on shore the same day with the Sandwich's and some other boats attending, and seeing your flag hauled down?

A. I did not observe the flag was hauled down; several boats attended me.

Parker. I was in the boat when your flag was hauled down; I observed it with a great deal of sorrow.

Court. When the Prisoner treated you with respect and modesty, was it privately or publickly before the ship's company?

A. I never had any private conversation with him, and never saw him before the ship's company but once, and never on board the Sandwich but once. At all other times it was with a number of persons calling themselves Delegates.

Q. When the Prisoner came to you on the 20th May, and apologized for due respect not having been paid to you, did he appear to you to have any influence, or to command the people on board by his authority, or to be active in the ship?

A. I conceived, by his coming to me to make that apology, that he must have had some command in the ship. I had no opportunity of observing him after he left the quarter-deck, till he came with the written paper as before mentioned in my former evidence.

Lieut. JUSTICE, Second Lieutenant of the Sandwich sworn.

Q. Do you know the Prisoner? **Yes.**

Q. Have you heard the Charges read? **Yes.**

Q. Did the Prisoner belong to the Sandwich, and in what station?

A. Yes; he was a supernumerary seaman.

Q. How long has he belonged to it?

A. I cannot say; I was at the Admiralty when he came on board.

Be pleased to relate to the Court, as directed to the foregoing witness.

I never saw the prisoner on the 12th of May. I was turned ashore on Friday the 12th of May, I can't say by whom. A Paper was sent aft for certain officers to quit the ship. At 8 o'clock I pip'd to breakfast; at half past 9, I gave orders to turn the hands up and clear hawser. The ship's company all got forward on the booms, and gave three cheers, which

which were immediately answered by the Director ship's company; immediately our ship hove yard-ropes, and pointed the fore-castle guns to the quarter-deck. I immediately went forward and remonstrated with them as to their conduct; they all answered they wanted their grievances redressed.

Court. What do you know of the Prisoner?

A. I know nothing of him; I know only of the general Mutiny; the first time I saw him was on the 11th, when he came with a letter on the quarter-deck. I did see him on the 12th on the fore-castle, when the guns were pointed aft.

Q. On the 12th when they gave three cheers, was there no particular person that appeared to you to take a leading part in the transactions going on? A. No, I did not see. They were one and all.

Q. Was you the Commanding Officer of the Sandwich on the 11th as well as the morning of the 12th of May?

A. I was publicly on the quarter-deck.

Q. Did you read an Official Paper sent off by Admiral Buckner, representing the Vote of the House of Commons, of the granting the sum of 372,000l. to answer the expences which the requisition of the Seamen had rendered necessary? A. I did.

Q. How was it received? A. With three cheers, as I read it.

Prosecutor. On returning to the Sandwich in the morning of the 12th May, after reporting the mutiny that existed, do you remember acquainting me the people had given charge of the ship to Mr. Bray, the Master? A. I think I do, Sir.

Q. You must recollect? A. Yes, I did.

Q. Do you remember orders being given that no Officer should interfere, the Master having orders from the Committee, or a set of men who had usurped the power, not to interfere with any duty of the ship, or with any Officers?

A. I heard that as soon as I returned from the shore.

Q. Did I not, notwithstanding, direct the Boatswain might pipe all hands. A. Yes.

Q. Was it obeyed by the people?

This question was not answered, nor was the examination continued.

Cross-examined by PARKER.

You have said you know nothing of me? A. I do not.

Captain EDWARD O'BRYEN, Commander of the Nassau, sworn.

Q. Do you know the Prisoner? A. I never saw him in my life. I was not on board from the commencement till after the Mutiny was over.

Q. Was he ever on board the Nassau? A. He was reported to be for the Boatswain was aboard; he is here.

Capt.

Capt. HANCOURT, of the Agamemnon.

Q. Do you know the Prisoner? A. I never saw him before to day.

Q. Was he ever on board the Agamemnon?

A. never to my knowledge.

President. Has the Prisoner any question to ask? A. None, Sir.

Capt. COBB, of the Lion.

Q. Do you know the Prisoner? A. I never saw him before.

Q. Was he on board the Lion? A. Not that I know of.

Q. Have you any question? (to the Prisoner.) A. No, Sir.

THOMAS PARR, of the Standard.

Q. Do you know the Prisoner? A. I never saw him before.

Q. Was he ever on board the Standard? A. never to my knowledge.

Capt. ROBERT WATSON, of the Isis.

Q. Do you know the Prisoner? A. I do not.

Q. Was he ever on board the Isis? A. I have heard that he was.

Captain W. HARWOOD, of the Leopard.

Q. Do you know the Prisoner? A. No, I do not.

Q. Do you know of his being on board the Leopard?

A. I have heard he was.

Mr. SNIPE, surgeon of the Sandwich, sworn.

Q. Do you know the Prisoner? A. Yes.

Q. What was he on board the Sandwich?

A. I understood he was a supernumerary Seaman.

Q. How long has he belonged to the Sandwich?

A. I never recollect him before the 14th of May.

Report what you know, &c. (as before.)

In the afternoon of the 14th of May, I was ordered to attend the punishment of one of the seamen of the Sandwich, whose name is Campbell.

Q. By whom ordered? A. By Mr. Bray, the Master, who said it was the Committee's orders that I should attend the punishment. When I went on deck, the Prisoner was standing on the gangway; as soon as Campbell was tied up, Parker made a speech to the ship's company acquainting them with the crime of Campbell, saying, if any of them violated the laws laid down by the Committee, they must expect to share the same fate; that was the general purport of his speech.

Court. What do you mean by Committee?

A. The assembly of people calling themselves Delegates in the Sandwich; the Prisoner was one of them. Two or three days after that, one of the ship's Corporals belonging to the Sandwich, whose name I believe was Wilson, said to me in the ward-room, it was the Committee's

orders that I should immediately go between decks, and visit a man in irons, whom he said was very ill. I accordingly went, and found the person had a fever. I desired the Corporal to go to the Committee, to say, it was dangerous to let the man remain in that situation. It was necessary for the man to be taken out of irons and sent to his birth. He returned and said it was the Committee's orders for me to make my report in person. I accordingly went to the starboard bay of the lower gun deck, and there found a vast croud of people assembled. I asked who I was to address; and the prisoner, Parker, desired me to address him. I told him it was necessary to remove the prisoner that was then in irons. The Prisoner made answer—"It is not our intention to interfere with you at all. You may do with the sick whatever you think proper." When I entered what they called the Committee-room, one of the People whom I supposed to be a Delegate, said, take off your hat, Sir. Another person, but not the Prisoner, as I was looking round cried out, begone. I was two or three times before the Committee. I in general received an answer from Parker, that I might do with the sick as I thought proper. On the 3d June, I sent in to the Committee for permission to go on shore. I asked permission of Davis, who acted as commanding Officer, on deck. I was ordered down to the Committee assembled in Captain Morfe's Cabin. I then asked their permission to go on shore, as I had some sick on board, which I wished to be removed to the Hospital. The Prisoner Parker recommended to the Committee to let me go on shore, upon condition that I returned to my duty next morning, and hoped I would use my influence to get the whole of the sick of the fleet landed. I accordingly went on shore, and never returned on board again until the ship was under the command of Captain Morfe, the proper Officer. One day in May, after the Mutiny began, when the Prisoner was speaking to Captain Morfe, who was pointing out to him the numerous improprieties which men in a state mutiny were guilty of, the Prisoner said, that he was certain, until their grievances were redressed, there would not one of them shrink, for if they did, it was certain they would be run up to the yard-arm (pointing to the ropes). I do not recollect any thing else for or against the Prisoner.

President. You say, when you was on deck you saw the Prisoner haranguing. Did he appear to give orders? A. After he had made his speech, he ordered the Boatswain to do his duty.

Q. Did Parker give the orders for the man to receive a dozen lashes?

A. Yes, he did.

Q. At what time? A. The punishment took place the 14th of May.

Q. When you say you understood Davis acted as Captain, in what capacity did you conceive the Prisoner acted? A. As President of the Committee; it was generally understood so by the Officers, and every person.

Q. Do

Q. Do you recollect where the Prisoner was sitting when you went into the Committee-Room, and what station he appeared to hold when he was sitting at the head of the Table in Captain Morse's Cabin?

A. As President.

Q. Did not the Prisoner appear to be the principal person?

A. He did when I saw him.

Q. Do you remember the day the Admiral's flag was hauled down?

A. I do not immediately recollect the day of the month.

Q. Do you recollect it was hauled down? A. I saw the Red flag in its place: I went upon deck after breakfast, and was very much surprised to see the Red flag in place of the Admiral's. It struck me as the most daring outrage I had ever seen in the course of my life.

Q. Did the Prisoner at any time give his orders to assemble the people upon deck? A. I cannot pretend to say; I never heard; no such orders were ever given in my hearing.

Q. By whose orders was the sick person whom you represent to have been in irons confined, and for what offence? A. By order of the Mutineers assembled, calling themselves the Committee.

Q. For what offence? A. Drunkenness—that was Campbell's crime.

Q. When Capt. Morse was remonstrating against the impropriety of the men mutinying, was the prisoner's hat off or on? A. His hat was on.

Cross examined by PARKER.

Relating to the punishment of Campbell, do you recollect the master (Mr. Bray) being on the gangway? A. A number of people were assembled; I know he was on deck, but I do not know where.

Q. Do you know of Mr. Bray's having been consulted as to the punishment of that man, who was beastly drunk with small-beer?

A. I do not.

Q. When you mentioned my pointing to the yard ropes, and saying that I was sure no one would shrink, or if they did they would go to the yard-arm; did you suppose I meant any thing else than if the people called Delegates were to propose such a thing to the ship's company, that they themselves would be the sacrifice alluded to?

The Court humanely hinted at the dangerous tendency of the question to the Prisoner, and he withdrew it with many thanks for the admonition of the Court.

I will ask Mr. Snipe no more questions.

Captain THOMAS SURREDDGE, of the Iris.

Q. Do you know the Prisoner? A. I have seen him several times.

Q. Had you any conversation with him?

A. No, I had none myself.

Q. Was he ever on board the Iris? A. I do not know; I was informed he was last Friday week, but I was not on board.

Q. Do you know any thing of the charge against the Prisoner? A. I have seen the prisoner passing several times in the boat with the Red flag flying. I saw him parading with the other Seamen, with a band of music, through the Blue Town, with a Red flag also. I saw the Prisoner at the Commissioner's house at Sheerness, in conversation with Admiral Buckner and the Commissioners; and, as near as I can recollect, he said he could envy no Officer the command that they held, for he had experienced a great deal of trouble and difficulty in the situation in which he was placed, or words to that effect.

Q. Did he say this modestly and respectfully? A. Yes, at that time he behaved with respect and modesty. I saw him also another night; the last night he was on shore, before the mutiny at the Nore. He went to the Commissioners with two Delegates, one from the Nassau, and one from the Standard. I do not know their names. One, as I understand, was the man who has since shot himself: He took a paper out of his pocket, and gave it first to one of those Delegates, and then to the other, and asked whether it did not contain the demands or resolutions of the North Sea Squadron. They returned the paper again, and said it did: he then gave the paper to Commissioner Hartwell, who, after reading it, told the Prisoner that he was sorry to find it contained so much fresh matter, that he could not think of going to London with it, but that had they confined themselves to the last articles, (he Parker) had shewn that morning, he would have gone to the Admiralty with them. Commissioner Hartwell told them, if they were determined to insist on those last articles, it would be unnecessary for him to take any further trouble in the business. I do not recollect the reply of the Prisoner, but I believe he went off with the determination not to return again.

Q. At the time you observed the Prisoner passing in the boat with the Red flag flying, were there any persons sitting on the stern sheets beside the band of music? A. I do not recollect whether the band was there or not; there were some other persons.

Cross examined by PARKER.

Do you recollect that I desired Commissioner Hartwell to converse with the Delegates of the North Sea fleet, and endeavour to convince them, as the four last articles which were objected were presented by the fleet. A. I do not recollect. I supposed they were the demands of the North Sea fleet.

Q. Do you recollect that I said a conversation with them would be more proper, as they had presented the articles?

A. I do not recollect.

Captain DIXON sworn.

Knew the Prisoner; heard of the charge against him; has heard he belonged to the Sandwich; remembered well, on or about the 20th of May, that I accompanied Admiral Buckner to the Great Nore. The Admiral's flag was hoisted on the bow of the boat, and the Admiral was in his full uniform. The Admiral went for the express purpose of notifying his Majesty's most gracious Pardon to the Crews of the several Ships under his command. In going on board the Sandwich, he was received without any of those marks of respect due to his rank as a Flag Officer. Instead of accepting the King's Pardon, the Prisoner presented several new Propositions, to be redressed under the head of Grievances. The Admiral was detained on board the Sandwich upwards of three hours, in consequence of the Ship's Company, I apprehend, not coming to a speedy determination respecting the propositions presented by the Prisoner; at the end of which time they were presented by Parker to Admiral Buckner in his cabin. The Admiral returned on shore, being suffered to leave his ship without any marks of the respect due to his rank. As the man-ropes were on the yards, the yard-ropes rove, and the Admiral treated with so much disrespect, for which the Officers seemed extremely concerned, not having it in their power to treat their Admiral with a proper and usual respect, I considered the Crew to be in a high state of mutiny. That was the whole respecting that one visit. Several days afterwards I was at Commissioner Hartwell's house; the Admiral, who was there, had it reported to him, that two Marines belonging to the ships at the Great Nore had been brought for examination. As I advanced to the fore door I saw the Prisoner, who asked me if the Commissioner could be spoken with; my answer was, I believed he was to be spoken with. The Prisoner came in, accompanied by one Davis, and demanded to know if the Soldiers had brought the Marines there.

Admiral Buckner asked him what right he had to make any such demand? The Prisoner said, "I am not to be intimidated; your flag is struck; you have no authority here; I, or we (I do not recollect which) command the fleet." Parker, the prisoner, immediately took up a pencil, and put questions to the Marines. He was suffered to interrogate them, and take them with him. During this last interview with Admiral Buckner, he behaved with the most daring insolence and contempt, I have frequently seen the Prisoner leading a body of men, whom they called Delegates of the Fleet, passing with the Red flag displayed in procession. Those are the particular circumstances, Mr. President, that I can bring home to my recollection.

The Prisoner asked, whether he (Parker) did not do all in his power to induce the Crew of the Sandwich to shew Admiral Buckner every respect? A. You did.

Court.

Court. Do you remember any particular conversation between the Prisoner and Admiral Buckner? A. Parker said to Admiral Buckner, that neither he or they had any business there. I remember to have heard it said by Admiral Buckner, that as he (Parker) and the rest of the Delegates of the Fleet had pledged themselves to accept the same indulgences which had satisfied their brethren at Spithead, it astonished him (the Admiral) to find new propositions advanced. The Admiral was certain they could not be granted. I think the Prisoner, with five other Delegates in the cabin, said it was the determination of the ship's Company to abide by the latter propositions.

Capt. Dixon having retired about four o'clock, the President suggested the propriety of adjourning the Court till next day, which the Members agreed to; and it was declared that the Court should proceed to actual business this morning at nine o'clock precisely.

SECOND DAY'S TRIAL.

FRIDAY, JUNE 23, 1797.

THIS day between ten and eleven o'clock, the Court again assembled on board the Neptune at Greenhithe, to proceed in examining the evidence for the Prosecutor.

The Prisoner expressed a wish that the attendance of Lord Northesk and Captain Knight, summoned for the Prisoner, might be dispensed with, saying he could justify his conduct by means of his other witnesses.

The Court differing about the word dispense, after some consultation, determined that those witnesses having been called by the Prisoner should remain in order to give evidence.

PARKER asked, whether after the Court Martial commenced, fresh Witnesses were to be allowed to come forward who were not previously summoned?

The President observed, that no evidence would be offered against him that had not been summoned before the trial commenced, though it was perfectly legal to call them.

The Judge Advocate expressed his opinion as to its legality, and corroborated the President's determination.

PARKER. I am perfectly satisfied.

JOHN WOOD, *Capt. of the Hound sloop, sworn.*

Q. Did you hear the charge read? A. Yes.

Q. Did you know the Prisoner? A. Yes, perfectly.

Q. Did he belong to the Sandwich, and in what station? A. I believe he was a Supernumerary.

Q. Do

Q. Do you know how long he has belonged to the Sandwich? A. I cannot say how long. He was on board the Hound in April last, and sent from the Hound to the Tender in Leith Roads in April last.

Relate to the Court what you know of the Prisoner's making any mutinous assembly on board the Sandwich, or any other of his Majesty's ships or vessels on or about the 12th of May, or of any disrespectful conduct or expressions to his superior Officers. A. I saw nothing of the Prisoner till the 2d of June, on which day he came on board the Hound, on her arrival at the Nore. He told me that he had the honor of representing the whole Fleet, an honor which he should never forget. That he understood that I had been very violent with some of the Delegates. He advised me not to be so violent as I must take the consequences. He then told me that he did not like the ship's company, that he knew they were attached to me, for which reason he should put her (the ship) in a safe birth, where she could not make her escape. He ordered the Pilot to get the ship under weigh and carry her as close to the Sandwich as possible; the Pilot told him it was an improper time of tide. He told the Pilot that if he did not chuse to get her under weigh immediately he would find means of making him, at the same time pointed to the yard ropes. The Pilot got her under weigh and dropped her close to the Sandwich, when the Prisoner ordered the anchor to be let go. He was then hailed from the Sandwich to say, we were too near them. The Prisoner replied, I think we are, Mr. Davis. He immediately turned to the Pilot, and with threatening language said, you have committed one mistake, take care you don't commit another; if you do, I will make a *Beef Steak* of you at the yard arm. He ordered him to get under weigh again, and to moor her between the Sandwich and the Inflexible. She was got under weigh, and came to upon the Sandwich's quarter, when the Prisoner had the hands turned up, and harrangued them forward: what passed I cannot exactly say; I heard him say, that he found they were not hearty in the cause, that he should be obliged to shift them. He then asked them if they had any complaints against their Officers; those that they disliked were to be turned on shore, and those they liked were to be kept on board. After this, a Delegate came from the Sandwich, and I was taken out of the ship. I asked by whose order, and the man calling himself the Delegate said, it was by the order of the President, Parker. I saw the Prisoner frequently rowing about the fleet, with a red flag and a band of music, with other persons in the stern sheets, talking to the crews of the ships. They cheered him as he passed. A man was put in irons on board the Hound, and, I was informed, by the Prisoner's order. I saw the Prisoner go forward and threaten the man.

Q. What do you know further? A. I sent two letters on board the Sandwich, one to the Admiralty on service, another a private one.
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The Prisoner brought the letters to me, and told me they could not be allowed to go without being opened. I took my private letter, and told him he might open the other if he pleased. One of the men standing by, desired him not to open it. The Prisoner replied, "Hold your tongue, you scoundrel, or I will have you at the yard arm." He then told me he would open the letter, and send it ashore in the Sick-boat, as there was no other mode of communication with the shore.

President. Did the Prisoner confine you or any of your officers. A. He did not confine me, he told me that neither I, nor any of my Officers were to have any thing to do with the command of the ship. He likewise told me he pitied our situation, but that they *must* go through with it, for the good of the cause they had embarked in.

Q. When the Prisoner advised you not to be so violent or you must take the consequences, did you conceive this advice was given you to save you from any mischief, or to intimidate you from doing your duty.

A. The Prisoner told me that he advised me as a friend, as he had understood I had driven some of the Delegates out of the ship, by threatening to put them to death. I had afterwards some conversation with the Prisoner, and asked him why he wished to send persons on board to force my people into the business; that they had no complaint, and wished to have nothing to do with it. He told me it was for the good of the whole, and they *must* have to do with it.

Q. You have stated that when the Prisoner's ordering the Pilot to get the ship under weigh, and carry her close to the Sandwich as possible, the Pilot told him it was an improper time of tide. That he told the Pilot if he did not chuse to get her under weigh, he would find means to make him, pointing to the rope-yards. Were the yard-ropes rove previous or subsequent to the Prisoner's coming on board? A. The yard-ropes were rove by a man belonging to the Pylades, and I think by the Prisoner's orders. I saw the Prisoner speaking to the man; and he immediately went up and rove the yard-ropes. They were rove while the Prisoner was on board.

Q. Who directed the management of the ship after she was got under weigh? A. There was no sail set, she dropt with the tide.

Cross examined by PARKER.

You have related, in answer to the question already asked, "that I advised you as a friend." I now beg you to recollect, whether when coming on board of the Hound, I did not say to you, Capt. Wood, the differences existing in the fleet are of a very unpleasant nature; I feel myself, in some degree, under an obligation to you, therefore I would advise you to have nothing to do at present, but suffer the Hound to proceed as the rest of the ships, as I had no doubt, in the course of a day or two at furthest, that the Officers would resume their former command. A. I recollect when you came on board, you said you was under

under obligations to me, for allowing you to go back to the Tender, for which reason you had come to advise me not to be so violent. I do not recollect your saying any thing of the Officers resuming their command.

Q. By the Court. When the Prisoner had the hands turned up, and harrangued them forward, do you mean that the Prisoner ordered the Boatswain or the Boatswain's Mate to turn them up? A. I heard him desire the Boatswain's Mate to turn them up.

Q. Was it by way of an order or request? A. I heard him order the Boatswain to turn them up, and send them forward.

NICHOLAS FLATT, *third Lieutenant of the Sandwich, sworn.*

Q. Do you know the Prisoner? A. Yes, Sir.

Q. Did he belong to the Sandwich, and in what situation? A. As a supernumerary.

Captain Moss, (*the Prosecutor.*) Relate to the Court what you know of the Prisoner's conduct, during the existence of the Mutiny on board the Sandwich.

A. I did not know the Prisoner at the beginning of the Mutiny. The first of my knowledge of him was, on Admiral Buckner's coming on board, I saw the Prisoner give a paper to Admiral Buckner, stating the grievances of the fleet. I heard the Prisoner say that he was President of the Delegates of the fleet. I saw the Prisoner going in boats frequently, and acting as a commander in them. I do not remember more, further than his being very active in attending the Committee. On the 2d June the Prisoner desired me to come over on the starboard side of the deck and receive orders. He said, "You are ordered, Sir, to receive a hundred and eleven men out of the Leith tender, and to give a receipt for them as usual, and we are answerable for what you do." I replied, that I had no orders to receive men from Admiral Buckner, and that my receipt was of no use, having no command. He again said,—"We are answerable for what we do." I mustered the men, and gave the receipt. I was again sent for by the Committee the 4th of June, to give a receipt for fifteen men from the Lynn tender, which I complied with, I was told by Davis, that it was the orders of the Prisoner and the Committee. On or about the 9th of June I was as prisoner in the Ward Room; I saw the Prisoner passing under the stern of the ship in a boat. I heard three cheers given over-head; the Prisoner turned round, and said, that he was going on board of the Director to bring a spring on her cable, and that he would send her and them (meaning, as I believe, the Repulse, which was aground) to the Devil. I saw the Prisoner go on board the Director; I saw the spring on her cable, and a very heavy fire commence from that ship on the Repulse. I did not see the Prisoner return on the 12th of June: I was released from confinement on the afternoon of the same day. I

was confined again, but by whose order I do not know; on or about Monday the 14th, the Prisoner came down in the Ward-room to release all the Officers. He said, we were at liberty to walk the deck, but were not to have any conversation with the people. The Prisoner sent for Mr. Mott, the Lieutenant, the same day that we were released. Mr. Mott came up, and all hands were called by the Prisoner's orders. He told them that Mr. Mott was to go on shore to bring off his Majesty's pardon. He asked the people whether they were willing that Lieutenant Mott should go. The answer was, that they were willing, and wished that the ship, meaning the Sandwich, should be given up to the Officers. Some of the men wished the white colours to be hoisted, and the blue hauled down, before Lieut. Mott went. Lieut. Mott called out to lower the blue ensign and hoist the white. He went in the boat and several people followed. The Prisoner then said to me that if we changed the colours, there were three ships astern that would fire at us. I called out to stop the colours from being hoisted till Lieut. Mott should return. Lieut. Mott agreed with me, and so did the people. Lieut. Mott went on shore and brought off the Proclamation. The Prisoner ordered all hands to be turned up, and it was read on the quarter deck by one of the Clerks, who was Deputy Purser. The Prisoner then spoke to the people, and asked them whether they were willing to accept of His Majesty's Pardon, and to give the ship up to the Officers, or to let her remain with us. The people all answered, "to the Officers," excepting two of the Prisoner's now in custody, Jones and Davis, who said the ships astern would fire upon us, if we altered our colours; and the Prisoner also said so. Lieut. Mott, myself, and the people called out, to change the colours, which was done. I said, they might fire and be damn'd if they pleased. The Prisoner said we, will give three cheers, which was done. The Prisoner joined in them. I demanded the key of the magazine and small arms, which the Prisoner complied with; saying, here are the keys of the magazine, and the charge of the ship I give up to you, being a senior Officer. I gave orders after the anchor was secured, to unmoor ship. The Prisoner came to me and said, if we offered to unmoor, the ships astern would fire on us. I told them I did not care, it did not signify. The Prisoner then said he was ready to come and heave at the capstan with us. The Prisoner afterward came to me and desired me to confine him, as he supposed he should be confined. I told him I would order him to a cabin, and put two centinels over him. He refused going, but said he would heave at the capstan. About half past nine in the evening of Tuesday, I consulted with the Officers, whether it would be proper to confine the Prisoner before we got under weigh, or wait till we got under the guns of the garrison of Sheerness. It was agreed we should confine him immediately. Lieutenant Mott and myself, went on deck, found the Prisoner on the quarter deck and a Lieutenant Pamp close by him. Lieutenant Mott, laid hold of the

Prisoner by the collar and brought him down to the lower deck, put him into Lieutenant Pamp's cabin, and placed two centinels over him. The morning after I went down about four o'clock, and put the Prisoner in irons. I saw the Prisoner sent on shore by Captain Moss's order.

Q. Capt. Moss. At the time you put the Prisoner in irons, was it in consequence of any new matter or signs of violence on his part?

A. None. It was by Admiral Buckner's orders.

Q. Previous to your release, had the Major part of the men of War either failed or separated from the Nore? A. Yes, several had separated to the Thames.

Q. What reasons were given for your release, and by whom?

A. The Prisoner came down and released us the last time himself. He did not give any reason for releasing us.

Q. Do you know whether the Prisoner had been accosted by any person or persons demanding your release? A. I was informed that a Black man, named John Campbell, had demanded our releasement; I heard it from Lieut. Mott.

Court. When you saw the Prisoner go to the Director from the Sandwich, was any body in the stern-sheet of the boat with him?

A. I don't remember observing any of the boat's crew.

Court. In the course of your evidence, you have distinguished the Prisoner by the name of President; do you know if, during the existence of the Mutiny, the Prisoner ever assumed any other title, or if ever he was addressed by the crew by any particular mark of distinction?

A. No. I do not know that he had any other distinction than that of President of the Committee.

Q. What command did you observe the Prisoner give, which makes you say he acted as a Commander in the boats? A. He ordered the boats to be manned, which was complied with. When he went over the side, the hands were piped over to attend him. The Sidesmen and Boatswain's Mate attended.

Q. If you was confined, how could you see the Sidesmen and Boatswain's Mate? A. We were confined but for a short time. We were confined on Sunday, and released the same day.

Q. After the Officers were suspended from their command, who was understood to be the principal commander among the Mutineers?

A. The Master was appointed to do duty at the first breaking out of the mutiny, and the rest of the time one Davis, now a prisoner.

Q. At the time Davis commanded the Sandwich, what capacity was the Prisoner in? A. I don't know; he was in the Committee.

Capt. Moss. Do you remember seeing during the mutiny a plan of defence hanging up on the Sandwich's quarter deck, or under the poop, or in any other place. A. No, I do not.

Cross examined by PARKER.

Q. You have related being on the quarter deck after the return of Lieut. Mott from Admiral Buckner with the Proclamation. Was you present the whole of the time of its being read and taken into consideration? **A.** Yes, I was.

Q. Do you recollect my begging the ship's company to deliver up the ship to their Officers, and trust to his Majesty's clemency?

A. I don't recollect your begging; I recollect only your asking them whether they were willing.

Q. When the White colours were hoisted, did you hear me say publicly it was the happiest moment I had felt a long time? **A.** I do not recollect; the noise and confusion might prevent me from hearing.

Q. When the fore topsails were loose, did I not in the most respectful manner come on the quarter deck to you, and point out to you that the *Inflexible*, and two more line of battle ships astern, would, I was afraid, from their violent tempers, get springs on their respective ships, so as to rake the *Sandwich* every shot.

Q. Are you not satisfied that I did not dictate, but beg in that one instance to be excused, for advising the *Sandwich* might not be got under weigh for her own and people's safety, until she was less observed by the ships before mentioned. **A.** You did come in a manner fully respectful, and offered that opinion.

Parker. I put no further questions, as I shall call the witness again on my defence.

WILLIAM LEVINGSTON, Boatswain of the Director, sworn.

Prosecutor. Did you hear the charge read? **A.** Yes.

Prof. Do you know the Prisoner? **A.** Yes.

Prof. Did he belong to the *Sandwich*? **A.** He came from her in her boat.

Prof. Do you remember seeing the Prisoner on board the *Director* the day the *Repulse* got a-ground, attempting to go into Sheerness Harbour? **A.** Yes, I did.

Prof. Relate to the Court his proceedings from the time of his coming on board till his departure? **A.** When the Prisoner came on board, he came aft on the quarter deck; he requested a boat to go with a flag of truce on board the *Repulse*; then he ordered all hands to be called; the boat was denied him; then he wanted to slip the ship's cables to go along-side, which was denied; he then ordered a spring to be got on the cable, which was the best bower, to bring our broadside to bear on the *Repulse*; when the spring was on, he ordered it to be hove in, and to bear away the best bower; as the ship came round, he ordered them to point their guns at the *Repulse*; there was a gun fired from the *Repulse* from the quarter deck; the *Repulse* was then a-ground; I don't know whether the gun was shotted; the Prisoner gave orders

orders to fire from all decks at the Repulse, as she had fired on us; which order was repeated by one of the Delegates of the Director. The Prisoner then going off the quarter deck, I saw no more of him, I being upon the poop. The order to fire upon the Repulse was complied with.

Prof. How long did the Director keep a heavy fire on the Repulse?

A. To the best of my knowledge for the space of half an hour; two and three guns were fired at a time from each deck on the larboard side.

Prof. Did you see any other ship with a spring on her cable firing at the Repulse at the same time? *A.* I saw the Monmouth firing at the Repulse at the same time, but I could not discern a spring.

Prof. Riding as the ships were to the flood tide, could the broadside of any ship be brought to bear in your opinion without a spring?

A. Not in the situation the Repulse lay.

Prof. Who had the command of the Director at the time the Prisoner came on board? *A.* Joseph Mitchell, the Captain of the Forecastle.

Prof. Was it to him the Prisoner applied to slip the cables?

A. He was called; but I did not see him come aft at that time.

Prof. During the time the Prisoner was on board, do you know that the Prisoner either pointed or fired a gun? *A.* No, I do not know.

Prof. Did you notice any other person with the Prisoner?

A. I saw him that day, for the first time, come on board alone. I took no notice of any other person.

Prof. Who appointed Joseph Mitchell to the command of the Director? *A.* The Committee of the Director.

Prof. Had Mitchell that command before the Prisoner came on board? *A.* Yes.

Prof. In the situation the Repulse lay aground, could she bring any guns to bear upon deck? *A.* To the best of my knowledge she could not, without it were stern-chasers.

Prof. What part of the Repulse was the gun fired from?

A. The larboard side of the quarter deck.

Prof. What was the position of the Repulse with respect to the Director? *A.* To the best of my knowledge her bow was a little to the southward. She was almost end on.

Court. Did the Prisoner order the guns of the Director to be pointed at the Repulse, before the gun was fired from that ship, or after?

A. Before the gun was fired.

Court. Who did the Prisoner ask for the boat, and who denied her?

A. Joe Mitchell was called after, but I did not see him.

Court. How was the boat denied? *A.* By a general voice of the people on the quarter deck, which said "No, no."

Court. Was the order for slipping the cables refused by the general voice of the people? Yes, they said "No."

Court.

Court. How near the Prisoner was you when he ordered the guns to be fired? A. I was then standing on the arm-chest on the starboard side, on the break of the poop. The Prisoner was then on the quarter deck, about the place of the foremost binnacle.

Court. Who ordered them to cease firing? A. I don't know : I was on the poop.

Court. Did the Prisoner remain on board till the Director's fire ceased? A. I do't know : I did not see him.

Cross-examined by PARKER.

Parker. Where was you at the time the boat was refused me?

A. I was on the poop on the forepart.

Parker. Had there been a gun fired at that time from the Director?

A. Not to my knowledge.

Prisoner. Do you recollect my addressing the ship's company of the Director, and pointing out to them how dreadful a thing it was for one brother to be firing on another; saying, if they would allow me the boat, I would take a flag of truce in it, and repair to the Repulse, which I did not doubt would stop the effusion of blood; that what might happen to myself I should not consider of any consequence, even if I lost my life, to save so many. Do you recollect such a conversation before the boat was denied me? A. Yes I do recollect such a conversation; when you asked for a flag of truce, I heard you say that you would take the flag of truce and repair to the Repulse, which you did not doubt would save innocent blood from being spilt; I heard you use the words, "if I lose my life."

Court. Was it before or after the Prisoner had given orders to fire that this conversation took place? Before he gave orders to fire.

Parker. Was there any preparation for a spring on the cable, or was there any spring before I came on board? A. There was none, neither preparation or spring to my knowledge.

Court. Could preparations or spring have been made, without your knowing it? A. Yes there might.

SAMUEL HELLAW, sworn.

Prof. What are you? A. Carpenter of the Director.

Prof. Do you know the Prisoner? A. Yes, I have seen him on board the Director.

Prof. Do you remember seeing the Prisoner on board the Director on the day the Repulse got aground, in attempting to go into Sheerness harbour? A. Yes.

Prof. Relate to the Court his proceedings from the time he came on board till his departure. A. The first word I heard the Prisoner say, he asked for a flag of truce, to go alongside the Repulse, to save blood from being spilt. It was denied him by the general voice of the ship's
com-

company; and then the Prisoner wanted the ship to go alongside the Repulse, then aground. That was refused also by the general voice on the quarter-deck; and then the Director's broadside was brought to bear by a spring on the best bower cable, and then the ship's company began to fire. The Prisoner was on the quarter-deck. The Repulse then fired a gun from the larboard quarter; the Prisoner then said they had returned the fire; he ordered them to level their guns, and then they continued firing from all the decks. I never saw the prisoner after that.

Prof. How long did the Director keep a heavy fire on the Repulse?

A. To the best of my knowledge about three quarters of an hour from beginning to ending.

Prof. Did you see any other ship with a spring on her cable firing on the Repulse at the same time? A. I saw the Monmouth, with, I believe, a small anchor and hawser carried out, but I believe no spring on her cable.

Prof. Riding as the ships were to the flood tide, could the broadside of any ship be brought to bear, in your opinion, without a spring?

A. Not to my knowledge.

Prof. Who had the Command of the Director when the Prisoner came on board? A. Joseph Mitchell, Captain of the fore-castle.

Cross examined by PARKER.

Q. Do you recollect whether all the guns on the larboard side of the quarter deck of the Director were cast loose before I came on board?

A. I can't say whether they were all cast loose; some of them were.

Prof. Did the Prisoner apply to him to slip the cable?

A. I cannot say.

Prof. During the time the Prisoner was on board, did you see him point or fire a gun?

A. No, I did not.

Q. Who appointed Mitchell to be Commander?

A. I cannot tell.

Q. Do you think, in the position the Repulse lay aground, she could have pointed any guns at the Director?

A. None, except her stern chasers.

Q. For what purpose did you suppose the Prisoner wished to carry the Director alongside the Repulse? A. I can't say.

Q. Was there any inclination appearing among the ship's company to fire at the Repulse before the Prisoner came on board the Director?

A. There were several guns cast loose.

Q. Do you know with what intention they were cast loose.

A. I do not.

Q. Did it appear to you that the people of the Director fired at the Repulse in consequence of the Prisoner's orders? A. I really can't say.

Q. Did you hear the Prisoner order a spring under his bower cable?

A. I

A. I did not.

Q. Was there any spring on before he came on board?

A. I can't say.

Q. Was it possible for a preparation for a spring being got on the best bower cable being attempted without your knowledge, you having permission to visit every part of the ship. A. I only saw the hawser up. I saw it got up before I saw the Prisoner on board.

Q. Was the Repulse ashore when the hawser was got up, or making any movement that made a spring necessary on the cables of the Director to stop her progress, or bring her fire to bear.

A. To the best of my knowledge the Repulse was not then moving.

Q. Did you distinctly hear the Prisoner speak aloud to the people to level the guns? A. I did.

Q. Did he appear to be acting upon his own mind, or to be taking instructions from any of the people on board the Director?

A. From his own mind.

THOMAS BARRY, *Seaman on board the Monmouth, sworn.*

Q. Do you know the Prisoner?

A. Yes, very well, by sight: I have seen him twice in my life.

Q. Did you see the Prisoner on board the Monmouth at the time the Repulse was attempting to escape into Sheerness harbour. A. Yes I did.

Q. Relate to the Court such particulars as you saw relating to his conduct at that time on board the Monmouth.

A. I did not see him when he first came on board: I saw him on the forecastle; when he first came on board, he took the command of all the Monmouth's forecastle guns. I cannot say whether the gun which I attended was fired six or seven times at the Repulse.—When the gun was going to be loaded the seventh time, I spoke to him, and told him not to put the cartridge in at that time; with that I got a worm, and wormed the gun out; he immediately ordered the gun to be sponged. The gun was sponged and loaded. After it was loaded, he was not content with a nine pound shot that was in her, but took a crow bar, and put the thick end in first. I immediately took it out of his hand, and he gave me a shove on the breast, and I fell over the heel of the spare top-mast. After that I was kept forward on the forecastle by Vance, who was Quarter-Master, and Captain of the ship; I was an hour and an half there; I was then ordered to go below, and stay in my birth till I had orders to come up. I did not stay down, but came on deck; Parker, the Prisoner was standing upon the heel of the spare top-mast. He ordered Vance to get our stream cable up to bend our stream anchor. Vance made answer that he could not do it. The Prisoner said, damn it, slip your bow, and go along side the Repulse, and send her to Hell, where she belongs to, and shew her no quarters in the least. After that

he

he told Vance he could not stay any longer on board the Monmouth, He said he would go on board one of the other ships of the fleet, and send her after the Leopard, and send her to Hell likewise.

Capt. Moss. Were the guns in general on the larboard side of the Monmouth fired on the Repulse?

A. Yes, Sir, they continually kept firing.

Q. Had the Monmouth, before your firing at the Repulse, laid out a small anchor and hawser, or a spring on her cable, to bring her broadside to bear?

A. We had a small hawser out abaft, and took it to the best bower buoy.

Q. Was the jib and fore topmast stay-sail hoisted to ease the hawser, and to favour the broadside of the Monmouth to bear on the Repulse?

A. Yes, they were.

Q. Do you know by whose order the jib and stay-sail were hoisted?

A. Yes, by order of Mr. Vance, who commanded.

Q. Did you see any other marks of activity in the Prisoner while he remained on board? A. Nothing else.

Q. During the time the Monmouth kept her fire on the Repulse, did the Prisoner point or fire any of the guns? A. Yes, the aftermost gun on the fore-castle, on the larboard side.

Q. How long did the firing last?

A. I suppose about five and twenty minutes.

Q. How near was you to the Prisoner when he was standing on the heel of the top-mast, and had the conversation with Vance?

A. I was standing by the bits, just before the fore-mast.

Q. Which gun was you at on the fore-castle?

A. The aftermost gun on the larboard side.

Q. Do you know whether any guns were fired from the Monmouth before the Prisoner came on board?

A. Yes there were, before I saw him on board.

Cross-examined by PARKER.

Q. Had you fired or assisted in firing any guns yourself before you first saw me on board?

A. No, Sir.

Q. Had there been guns fired from other parts of the ship before the fore-castle guns were fired?

A. Yes, the quarter deck guns were fired.

Q. You have been telling a great deal about Hell, I wish to know if you have been promised any thing, or any promotion, for advancing the hellish account?

A. No, I never was promised any thing.

Parker. I shall bring witnesses to disprove what you say.

JOHN SOMERLAND, *Boatswain's Mate of the Monmouth, sworn.*

Q. Do you know the Prisoner? A. Yes

Q. Did you see the Prisoner on board the Monmouth at the time the Repulse was aground, endeavouring to escape into Sheerness harbour. A. I did.

Q. Relate such particulars of his conduct as you saw in acts of violence against the vessels.

A. I saw a great many people assembled on the fore-castle, I went up to see what was the matter, and I saw the Prisoner standing abaft the fore-mast upon something. He was going to make a speech; and Capt. Vance, who acted as Captain of one of the ships, wanted to speak first. The Prisoner would not allow it. He would insist upon the ship slipping her cables. There was no other cable bent at the time. The ship's company would not agree. He said he would go on board one of the outside ships, and make her slip, and go alongside of the Leopard, and send her to Hell, where she ought to go. During this time the Repulse got off the ground. The Prisoner dismounted from the place he was on, shook his fist, and said "Damn me, she is off!" He directly called away the boat's crew of the Sandwich, in which he went himself.

Captain Moss. When the Monmouth was firing upon the Repulse, did you see the Prisoner any way active in pointing the guns, or otherwise directing them to be fired?

A. I did not see it myself.

Q. Was there a hawser carried out for the Monmouth to bring her broadside to bear upon the Repulse?

A. There was one brought alongside by another ship's boat; that was made fast; and her broadside thrown to bear upon the Repulse.

Q. What was the hawser made fast to?

A. The hawser was made fast to the cable: they wore away the best bower cable, and brought the Monmouth to bear on the Repulse, having broken a small tow line that was before made fast to the buoy.

Q. Did the Prisoner give any directions about carrying the tow-line, or getting the spring upon the cable?

A. Not to my knowledge.

Q. At the time the Monmouth kept the heavy fire on the Repulse, did you see the Prisoner with his cloaths off, to favour any exertions he was about? A. I did not.

Q. How long do you suppose the heavy fire from the Monmouth on the Repulse might last.

A. I believe about two hours, from beginning to end.

Cross-examined by PARKER.

Q. Do you recollect the time I came on board the Monmouth?

A. I do not.

Q. Do

Q. Do you imagine I was on board at the commencement of the Monmouth opening her fire on the Repulse?

A. I don't know; there were a great many of the Sandwich's people.

Parker. I shall not ask any question; I shall be able to disprove what he has said.

Court. Did the Monmouth or Director fire first at the Repulse?

A. The Monmouth.

Captain Mofs said he had no other witnesses to examine, except with respect to the facts already sworn to, and unless the Court thought it necessary, he would not take up their time by calling any more witnesses.

The Court agreed there was no necessity for the Prosecutor to proceed with any other evidence.

The evidence for the Prosecution was then declared at an end; and the President asked the Prisoner when he would be ready to enter upon his defence.

Parker said it would be necessary he should take some time in preparing his defence; he wished to be allowed extracts of the evidence.

The Deputy Judge Advocate informed him he could not furnish any extracts to him.

President. Can you get ready by tomorrow?

Parker. I shall not be able to get ready tomorrow.

President. Will you be ready on Monday?

Parker. I think I shall; I wish to have a list of the witnesses who have been produced against me.

Judge Advocate. You shall certainly have that.

President. You shall have every indulgence with respect to preparing for your defence that can possibly be granted you; but you should consider how many persons whose services are of consequence to the Country you detain, by delaying your defence.

Parker. I shall be ready by Monday.

President. The Court will meet *pro forma* to-morrow morning.

Adjourned at five o'clock, till to-morrow at nine o'clock.

THIRD DAY'S TRIAL.

Neptune, Saturday, June 24.

The Court met, pursuant to adjournment this morning at Ten o'clock.

The JUDGE ADVOCATE informed the Prisoner, that his request to have extracts of the evidence had been taken into consideration, but as a compliance with such a request was quite unusual, it could not be granted.

President. The Court has met to consider and determine as to the time which can be allowed you to prepare for your defence. I think it necessary to inform you, that you have not to expect *one moment* longer than MONDAY MORNING.

Judge Advocate. In the mean time whatever you may be in want of, the better to enable you to prepare for your defence, shall be granted you.

The Solicitor of the Admiralty delivered to Parker a copy of his examination taken before the Magistrates at Sheerness, which the Prisoner had previously requested.

The Judge Advocate then gave the Prisoner a quantity of paper, pens, and ink, and told him he should have every thing he might afterwards think necessary.

President. You have had very particular indulgences granted you, more than were ever shewn to any man in a similar situation. I hope, therefore, you will take care to be fully prepared by Monday.

Parker said he required no longer time; he should be perfectly ready by that time. He returned thanks to the Court for the favours shewn him. The deportment of the Prisoner was every way respectful and consistent, and he appeared perfectly composed.

The Court then adjourned till Monday morning, to sit at nine o'clock precisely.

FOURTH DAY.

The Court having met at 9 o'clock, and the Prisoner brought in, the Judge Advocate informed him, that in consequence of his request, an Express had been sent to Sheerness for William Hobbs, George Nicholes, and Samuel Beer, three of the men belonging to the Monmouth, as well as a person of the name of Hollister, who was one of the Delegates; all these persons were on board, for the Prisoner to call if he should think proper.

President.—You are now on your defence, which you will make in the best manner you can, and afterwards support it by Evidence.

PRISONER'S

PRISONER'S DEFENCE.

GENTLEMEN,

As I have been at sea from my youth, I hope nothing will be expected from me but a narrative of plain facts. I cannot dress up my thoughts in the pompous language of a lawyer: could I have procured assistance I might have been enabled to have expressed myself with more propriety.

In the first place, I have to return thanks to this Court for giving me the time they have to defend myself against the very heavy charges brought against me. Nothing but the consciousness of the integrity of my intentions with respect to the Mutiny, and the reflection that I did not enter into it until two days after it commenced, could have supported me against such heavy charges sworn to by so many witnesses, and a firm conviction that I entered into it solely with the view of repressing the dangerous spirit I saw prevail in the fleet. The first witness called against me was Vice-Admiral Buckner, who says he often saw me, and he acknowledges my behaviour to him was always respectful. I never waited on Admiral Buckner without the express orders of the Delegates; and when I did, studiously avoided sporting with his feelings, by improper behaviour; on the contrary, I couched every message I had to deliver in the most respectful terms I was able. It may be asked how I came to be the person pitched upon to deliver such messages, and act as the principal in the business. To this I can only answer that such was the case. The Delegates insisted on my assuming the situation I appeared in, and it was impossible for me, or any individual under similar circumstances, to have resisted such appointment. I knew nothing of the Mutiny till it had broke out. As soon as I saw that fatal spirit of Mutiny which prevailed, I immediately thought it my duty, and I endeavoured, as far as in me lay, to stop the further progress of it. However melancholy have been the events which have taken place, I am convinced more dreadful consequences would have ensued, had I not acted the part I have done — consequences which I hesitate not in saying, I have prevented at the hazard of my life; and feeling that I have done whatever was in my power to lessen the evil, which I could not wholly prevent, I can wait the decision of the Court with calmness and resignation. Admiral Buckner says he was not received with that respect due to his rank. I am sorry that it should have been so, but that he cannot impute to me, as he was on board before me, and I was at the time on shore, attending a procession, and the Admiral himself acknowledges that when I did go on board, I went on the quarter deck, and said, it must be owing to some mistake, he was not received with the honours due to him, and I offered that the men should man the yards. He acknowledges an attempt was made to man the yards, which afterwards subsided. It was so, an attempt was made by me to that effect, though at that time it was a thing dangerous to propose, and was done at the risque of my life, for it was signified if it was complied with, that the Inflexible, and the other ships would fire upon and sink the Sandwich; a report having been propagated that Admiral Buckner was not a fit person to reconcile the Fleet with the Admiralty, which so discomposed our people, that the respect intended to be shewn was defeated. Mr. Bray came on board
from

from the Inflexible, where he said he had found the tompons out of the guns, the matches ready, and every appearance of hostility. During the whole continuance of the mutiny there were daily meetings of the Committee of Delegates, of the ships. The Delegates received propositions, for all measures originated on board the Inflexible, and there is not a man of the whole Fleet who does not attribute the melancholy consequences that took place to the violence of the people of the Inflexible. It was to prevent those consequences I went on shore to Admiral Buckner, and when I was half passage to shore, I first observed the Admiral's flag down, and the red one in its stead. In answer to what Admiral Buckner said respecting the two marines, I do not deny being commanded by the Delegates of the Fleet to act as I did. The circumstances were these: the people called Delegates representing the Ship's Company were refreshing themselves with their usual allowance, which was a pint of beer each man. In the mean time they were informed that two Marines were in custody of the main-guard, for approving of the conduct of the Seamen. The Delegates desired me to enquire if it was so. I did so. The Officer said he had no such persons. We were informed that the two Marines were at Commissioner Hartwell's House. We accordingly went and told him to release the men, and send them on board, where their conduct should be enquired into, and the men punished if they deserved it. We saw Admiral Buckner, who said the marine had used very improper language at a house at Queenborough. He had no objection to our examining them. One of them appeared in a state of intoxication. I interrogated them, and Admiral Buckner said, Parker, you are asking very proper questions. The men were taken and sent to the fleet, and the next day sent aboard their respective ships. It was requested by the Admiral they should be confined, and I understood that was complied with. I shall not observe further relative to my conduct on account of the two Marines, but I beg leave to state this question to the Court, whether four men could have taken them away from a strong guard, and in the face of the garrison, unless with the approbation of the Commissioner and Admiral. I repeat, that I never did behave with any the least disrespect towards Admiral Buckner; I remember a conversation wherein Admiral Buckner said, consider what must have been my feelings at seeing my flag struck. I replied, I had nothing to do with the striking his flag. I told him I could judge what his feelings must have been on such an occasion; that I had feelings of my own, and could easily participate in his, but that I could not prevent them, as I was but a single individual among many. Having done with Admiral Buckner's evidence, I think it but justice to acknowledge that both Admiral Buckner, and Commissioner Hartwell, did every thing that lay in their power to satisfy the minds of the fleet. The next evidence was Lieutenant Justice, he says, he knows nothing of me. The third was Captain O'Bryen, who says, he knows nothing to the disadvantage of me. Captain Fancourt said, he never saw me before. Captain Cobb, of the Lion, deposed to the same effect; as did Captain Parr, of the Standard.

Mr. John Snipe deposes that on the afternoon of the 14th of May he was called upon to attend the punishment of a man of the name of Campbell, and that I ordered him a dozen lashes. I do not attempt to deny that I did act as he has sworn. I was commanded to see the punishment inflicted. but Mr. Bray was consulted as to the propriety of inflicting such a punishment for the offence he had committed, which was for getting beastly drunk, at the same time asserting he had drank nothing but small beer. I recom-

mended

mended to the whole ship's crew to abstain from liquor until the whole of the business was settled, telling them, if they did not, that the punishment their own justice had inflicted on that man, should be inflicted on any one offending. As to the sick man in irons, it was a man confined for disrespect to Capt. Moss; the answer given by me on that occasion to Mr. Snipe sufficiently shews that I did not mean to interfere with his professional concerns; and I hope it will have the effect of shewing to the Court, that I was alive to the sufferings of my fellow creatures. Mr. Snipe has said, that he had leave to go on shore, on his promising to return again, but that he took care not to return till the ship was under the command of its officers. I shall make no comment on this part of his evidence, but I shall only ask, whether it was praise-worthy, at a time when the seamen were labouring under insupportable disorders, for a Surgeon to leave the ship merely because his situation was not so comfortable as he could have wished.

I next come to the evidence of Capt. Surridge, of the Iris; he says he has seen me once at the Commissioner's House, and that he afterwards saw me come up to the Commissioners at the Jutty Head, where he recollects my delivering to him the Articles containing the final determination of the North Sea Squadron. I do declare that I had no conversation with the Commissioners, but left it entirely to them, to satisfy themselves that the articles I had presented really did contain the demands of that fleet. Capt. Surridge has declared that he saw no disrespect on my part towards him, therefore I shall not dwell further on his evidence.

The next evidence is Capt. Dixon of the l'Espion, but as any observations on his evidence are answered by what I have observed with respect to Admiral Buckner, I shall decline commenting on it.

I now come to the evidence of Captain Wood of the Hound, who has deposed, that I went on board his ship, and advised him not to be so violent. I certainly did go on board, but I had no other motive but that of the personal safety of the Captain, and the preservation of the ship. He says he was ordered out of his ship. In answer to this, I solemnly assert I did not know that he was ordered to leave his ship, the orders were not certainly given by me. As to my having said I would make a beef-steak of the Pilot at the yard-arm, I solemnly declare I did not make use of such expressions. I do not recollect the Pilot's letting go the anchor, I declare to God I know nothing of it. If I was before God I would deny it. It is very possible Captain Wood might be mistaken as to my being the person who gave the order.

Lieutenant Flatt deposes he does not know me. As I shall have occasion to ask Lieutenant Flatt some more questions, I shall not make any further observations on his evidence at present.

Mr. Levington, boatswain of the Director, deposes that he saw me on board the Director at the time the Repulse was on shore, that I asked him for a boat, observing, that it might be the means of saving many lives. He recollects my giving the word fire. After which Mr. Samuel Ellis deposes, that he heard me address the ship's company, and that soon after the guns were fired, but that he did not hear me order it. In the first place. In order to account for my being on board the Director—when the demands of the North Sea fleet were known, a boat went round to the whole of the fleet with a band of music playing God Save the King, Rule Britannia, and Britons Strike

Strike Home. I was desired to be on that duty; Matthew Hollister informed me that the *Repulse* was getting under weigh, and that the Director was getting a spring on her cable, I was then commanded on board the Director. I saw the guns on the quarter-deck cast loose. I pointed out the impropriety and cruelty of one brother fighting against another; and I begged for a flag of truce, which was refused. I then sounded their dispositions by proposing to go along-side the *Repulse*; this I did in order to see how far they would proceed; and I was happy to find they did not approve of so doing. My reason for asking for a flag of truce was, I thought if I could obtain permission to take it, none of the other ships would fire on the *Repulse* out of respect to the Flag of Truce they had granted, but finding myself opposed, I was obliged to act a part I abominated. I do not recollect giving the orders to fire; but if I did, they must have been the orders of compulsion, and not choice.

Thomas Barry, Seaman, deposed I was on board the *Monmouth*; but I will prove I was not at that time on board the *Monmouth*, that I was then on board the Director, and that he must have confused me with some other person. He deposed that after firing the 6th or 7th gun from the fore-castle, that on the gun being loaded the 7th time, I put a crow bar into the mouth of the gun. He relates something of being confined by a man called Captain Vance. He also swore that when the *Repulse* got off I shook my fist and said "Damn me, she's off, and that I would send her to Hell." I do declare that I went on board the *Sandwich* in the *Ardent's* boat, and not in the manner described by Barry.

John Somerland does not recollect my working with my clothes off, but he says I was on board the *Monmouth*. In fact, I was more in want of rest, than anxious to look after Don Quixotte adventures. I did not go on board the *Monmouth* it is certain, but with the same views I had in going on board the Director. As to my saying I would take an outside ship and repair to the *Leopard*, I could have no other motive for so doing, than to make her keep her station. Some days previous to the *Sandwich* being delivered up, the *Montague* made a signal for a Delegate, I thought they were by no means amicable with respect to their dispositions in general, and therefore the signal was not complied with.

I have now made all the remarks which occur to me on the evidence. I now address myself again to the Court, not for the purpose of informing that where mercy can be extended, it ought to be shewn, being assured that I shall have strict justice; but I appeal to them to attend particularly to the evidence of Barry. However I may have been misrepresented in the Public Prints, my intentions were good. My character is dearer to me than a thousand lives. My country allows me justice, and justice I trust I shall have from this Honourable Court.

Lord NORTHERN, *Captain of the Monmouth, sworn.*

Q. Have you heard the Charge read. A. Yes.

Q. My Lord, do you recollect whether you was on board the *Monmouth*, at the time of firing on the *Repulse*?

A. I was on shore. I was not on board at that time.

Q. Has your Lordship been at any time on board of the *Sandwich*?

A. I was on board the *Sandwich*, on the 6th of June.

Q. Did it impress your Lordship, from the reception you met with, that the

the people, notwithstanding the existing differences, where perfectly loyal to their Sovereign and Country?

A. The Seamen in the Cabin said, they were very loyal.

Q. Does your Lordship recollect a mark of loyalty, namely immediately as your Lordship entered the cabin door, the Band striking up God Save the King? A. I remember the Prisoner ordering the Band, as I came into the cabin, to play God Save the King.

I have no further questions to ask.

Presid. In what ostensible situation did the Prisoner appear to be when your Lordship entered the cabin? A. He appeared to me as President of the people then calling themselves Delegates.

Q. Was he the chief spokesman during your Lordship's conference with them? A. Yes, he was.

Prof. Did you receive—

Parker. I thought the evidence for the Crown had been done with.

Judge Advocate. If a Prosecutor offers evidence, the Prisoner has a right to cross-examine him; if the Prisoner produces evidence, the Prosecutor has the same right.

Q. Did you receive the Letter now produced from the Prisoner?

A. I did.

Sandwich, Nore, June 6, 1796.

To the Right Honourable Earl NORTHESK.

MY LORD,

You are hereby required and directed to proceed to London with such Papers as are intrusted to your care, and to lay the same before our Gracious Sovereign King George the Third, and to represent to our Gracious Sovereign that the Seamen at the Nore have been grossly misrepresented; at the same time, if our Gracious Sovereign does not order us to be redressed in Fifty-four hours, such steps will be taken as will astonish our dear Countrymen! And your Lordship is requested to send answer in the specified time, by your Purser, who is to attend your Lordship.

I am, your humble servant,

(By Order of the Delegates of the whole fleet,)

RICHARD PARKER, *Pres.*

My Lord, I am further to acquaint your Lordship, that an oath has been taken by the Delegates of the Fleet, that they never had any communication with Jacobins and Traitors.

(Signed)

RICHARD PARKER, *Pres.*

Q. Did your Lordship receive that letter from the Prisoner? Did the Prisoner acknowledge it to be his letter?

A. The letter was delivered to me by the Prisoner.

E

Examined

Examined by PARKER.

Q. Was your Lordship present at the writing the before-mentioned letter?

A. I was present at the writing the last paragraph, beginning with the words, "my Lord," and ending with the words, "Richard Parker, President," by the Prisoner.

Court. Who dictated the letter? Was the latter part dictated by the Prisoner? **A.** He wrote it himself, without any dictating.

Q. Does not your Lordship recollect seeing a shew of hands from the Delegates assembled, ordering and insisting on the latter part of the letter being wrote? **A.** Do you mean the latter part of it?

Court. Yes, the latter part of it? **A.** I remember it was their wish that it should be expressed, that they were neither Jacobins nor Traitors, or words to that effect.

Court. Was the latter part read to the Delegates after Parker wrote it?

A. I don't recollect.

Q. Does your Lordship remember whether the Committee wished to have those words Jacobins and Traitors expressed before or after Parker had written the sequel to that letter.

A. I do not recollect, but I believe it was before.

Capt. JOHN KNIGHT of the Montague, sworn.

Q. Do you recollect being on board his Majesty's ship the Sandwich, during the late existing differences?

A. I do perfectly well, being on board more than once.

Q. Were you ever impressed with any marks of Loyalty shewn by the people assembled on board?

A. By Music. I have heard music, "God save the King!" — "Britons strike home!" And I have heard expressions of Loyalty, that they venerated their Sovereign, and esteemed him, I think I have heard the Prisoner say so himself: And further, I have heard the Prisoner say, that if there were a certainty that the Enemy's Fleet were at sea, they would take the Fleet under their direction in search of them.

Court. Did he say he or the Fleet? **A.** He spoke in the plural number. He further said, *That if the Dutch Fleet was still in the Texel, he would lead the Fleet in and attack them, to prove to the Nation that they were neither Rebels nor Traitors.* I have no more questions to ask.

Prof. Do you remember the flags hoisted on board the Sandwich the 29th May and the 4th June? **A.** I was not at the Nore the 29th May. On the 4th June I do remember the Standard at the fore, the Union at the mizen and a Red flag at the main.

Capt. M^{rs}. The Mutiny flag you mean?

Capt. Knight. You may call it a Mutiny flag; it was a plain Red flag at the main, and the Union at the mizen.

Q. On Royal birth-days, is it not the practice to hoist the Standard at the main? Yes, it is.

Court. At the time the Standard was hoisted on the fore top-gallant head and the Red flag at the main, was it prior to your hearing the Prisoner make use of loyal expressions, or after? **A.** It was on the 8th when I heard him

make use of loyal expressions; the day I went on board with the Act of Parliament.

[A Letter was here produced.]

Q. Did you receive the Letter now produced from the Prisoner? A. I did not receive it from the Prisoner; it was brought me by one of the Committee men of the Montague.

The Letter was read, stating that Capt. Knight had permission to go on shore with Mrs. Knight, but to return in three days. That the Officers were detained as hostages for the Delegates on shore, and relying on Captain Knight's honour to return, as they considered him on his parole.

President. Was the Red flag flying on board the Sandwich when the Prisoner mentioned those expressions of loyalty? A. It was.

Q. Have you ever understood from the Prisoner, or any other of those they called Delegates of the Fleet, what the Red flag meant, whether a flag of defiance? A. I recollect on the 8th, when I was on board the Sandwich, asking the question what it was meant to represent, and was informed; but whether by the Prisoner or some other of his associates I know not; that they wished to establish it and to fight under it, for that the Dutch had stolen it from the English, and they wished to restore it.

Court. During the time you was on board the Sandwich, did the Prisoner appear to direct the proceedings? A. I never heard him giving any directions; it was him who addressed me. He reported to me when the boat was ready to take me.

Q. How do you reconcile the loyalty you have mentioned with the treatment you received, by the total annihilation of the authority, the breach of the laws of your country, and imprisonment of your Officers? A. I conceive it does not apply to the Prisoner: I was robbed of my authority before I saw the Prisoner.

The question was repeated. A. It is irreconcilable certainly, but I only meant that my authority was annihilated before I came on board and saw the Prisoner.

I wish to ask Capt. Moss a question.

The Judge Advocate informed him it was irregular, and the Prisoner waved his desire.

Mr. JACOB SWAINSON, Gunner.

Q. Have you heard the charges read? A. No.

Q. Do you recollect the day on which Admiral Buckner's flag was struck on board the Sandwich? A. I do not know the particular day.

Q. Do you know any particular person or persons who were aiding and assisting in striking the flag? A. I do not.

Q. Do you recollect Capt. Moss having said on the quarter deck, that as the Mutiny unfortunately had commenced, he thought it fortunate I happened to be on board of the Sandwich to keep down the spirit of it, as I seemed perfectly moderate? A. I do not recollect Capt. Moss saying any thing of this kind.

Q. Do you ever recollect, during the Mutiny, to have informed me that such conversation had taken place between Capt. Moss and his Officers?

A. I do not.

Q. Did you ever form an opinion of me personally, that it would make me happy if the fleet could be brought into a moderate way of thinking, and of delivering up the command of their ships to the Officers, and trusting to our gracious Sovereign for a redress of grievances. **A.** I have heard the Prisoner express a wish that it was settled, at the latter part of it.

Q. Was it at the latter part of the Mutiny you only noticed me?

Court. If your question is only as to opinion, it will be of no service to you? **A.** I have no other questions.

Q. Capt. Mofs, was the Prisoner particularly active when the *Repulse* was aground, and what did the Prisoner say on getting her off? **A.** I did not hear him say any thing on her getting off; when the Prisoner came on board that evening, he ordered the boat to be hoisted out of the *Sandwich*, that he might go on board the *Director*, get a spring on her cable, and if his father was on board that ship, pointing to the *Repulse*, he would blow her to Hell, for that was where she belonged to.

Q. What do you recollect the Prisoner has said respecting the cause he was embarked in. **A.** I have heard the Prisoner say he thought it was a good cause, and there was no doubt but they should gain their point.

Q. What point? **A.** A redress of their grievances, as they complained. I understood it so.

Q. Do you recollect the Prisoner giving any directions or orders at any time on board the *Sandwich*? **A.** I do not recollect his giving any orders, except the last that I have stated; I was very seldom on deck.

Q. Did you ever hear the Prisoner, or any other person calling himself a Delegate, say what they meant by hoisting the Red flag? **A.** I don't recollect I ever did.

Q. Did you never ask what it was? **A.** I never did.

Examined by PARKER.

Q. Do you ever recollect my saying to you it was a great pity the *Inflexible* should have been in the fleet; that if it had not been for that ship things would have been amicably settled long since? **A.** Yes, I do.

Court. Do you recollect on what day the Prisoner said that? **A.** I do not.

Q. Was it after the King's birth-day? **A.** I can't say.

Court. I wish to know at what time of day the *Repulse* got on shore, and at what time did she get off? **A.** She got ashore about three o'clock in the afternoon, to the best of my recollection, and got off between five and six the same afternoon.

Q. Do you recollect what time Parker returned from the *Monmouth* to the *Sandwich*? **A.** I do not know; it was late.

Q. Was the *Repulse* on shore at the time the Prisoner ordered the *Sandwich's* boat to be hoisted? **A.** She had been on shore some time.

Q. At what time that afternoon did the *Monmouth* cease firing?

A. To the best of my recollection the *Repulse* was got off before the *Monmouth* ceased firing.

Q. Was it sufficiently day-light for you to see the *Repulse* come to her anchor in Sheerness harbour?

A. She was in, to the best of my recollection, before dark.

Q. Can

Q. Can you recollect whether it was before or after the Repulse went into Sheerness harbour that the Prisoner said it was a great pity the Inflexible was in the fleet? A. I do not recollect whether it was before or after.

EDWARD ALLEN, *of the Sandwich, sworn.*

Q. Do you recollect the day on which the Mutiny broke out on board His Majesty's ship the Sandwich? A. No, I do not.

Q. Was you on board that day? A. Yes.

Q. Did I take any active part in the proceedings of that day or the following? A. Not to my knowledge.

Q. Do you recollect my frequently complaining to you and your messmates? President. What you have asked can be of no service to you.

Parker. I mean to shew I considered that it was a pity things should be carried on in the violent manner they were.

A. I do not recollect any such words in my presence.

I have nothing but conversation of that kind to ask.

Court. You shall not be checked in any question.

Q. Did you ever form an opinion—

Court. Unless you can disprove what has been sworn, any opinion can be of no use—however you may go on.

Q. Did you ever form an opinion from the manner of my proceedings, that it would give me pleasure to see matters settled?

A. No, not as I know off, I never saw any thing amiss of him.

Court. Did you ever hear the Prisoner, or any body else calling himself a Delegate, say what they meant by the Red Flag? A. No.

Q. Do you know what the Red Flag was called on board ship—what was the meaning of it? A. No, I do not.

MATTHEW HOLLISTER, *Seaman of the Director, sworn.*

Q. Do you recollect at what time I left his Majesty's ship Director the day the Repulse got on shore, attempting to get into Sheerness harbour?

A. I can't speak to the hour or minute, but it was late in the evening.

The Prisoner said he had no other question, as the witness was to be tried himself.

Q. Did you ever hear the Prisoner or any other person say what the Red Flag meant? A. As I am bound before Almighty God, I do not know.

THOMAS BARRY, *of the Monmouth.*

Q. What time of the day was it that you stated to the Court respecting my firing the fore-castle gun of His Majesty's ship Monmouth, at the Repulse on shore, attempting to get into Sheerness?

A. About four o'clock in the afternoon.

Q. You stated to the Court, that you was confined by order of a man, whom you called Captain Vance. At what time did that confinement commence, and how long did it continue? A. I dare say, an hour and a half. It began about a quarter after four, and ended about a quarter before six.

Q. You related before my giving you a shove over the heel of the spare fore-top mast, at what time did that transaction take place.

A. Close upon four o'clock.

Q. Do

Q. Do you not think that it is possible for you, in the hurry and confusion of things on board the *Monmouth*, to have mistaken me for some other person? A. No.

Q. At what time did the transaction of the crow-bar being introduced into a gun, with intent to be fired, which you have represented to have taken place, happen? A. About ten minutes before four o'clock.

Q. Was the person who introduced the crow bar with part of his cloaths off, or the whole of them on? A. His short or half coat was off; he had his waistcoat on.

Q. What time was it when the discourse you related took place between myself and the man you call Capt. Vance? A. About half past four.

Capt. Moss. Is it within your knowledge that any boat escaped from the *Monmouth* the evening of her firing on the *Repulse*? A. No, I can't say; I don't know of any.

WILLIAM HOBBS, *Seaman of the Monmouth.*

Parker. Take particular notice of me, and be certain that you know me.

Q. Do you know the Prisoner? A. I never saw him in my life, to my knowledge.

Q. Where was you when the *Monmouth* fired on the *Repulse*?

A. I was quartered on the forecastle, but I was mostly between decks.

GEORGE NICHOLS, *Seaman of the Monmouth.*

Q. Do you know me? A. No, Sir, I do not.

Q. What part of the ship was you in when the *Monmouth* fired on the *Repulse*? A. I was quartered on the forecastle, but never went up.

SAMUEL BEER.

Q. Do you know me? A. No, I do not. To my knowledge I never saw you.

Q. What part of the ship were you stationed in when the *Monmouth* fired at the *Repulse*? A. I was at the forecastle. I was at my quarters part of the time; the rest between decks.

Pres. At what gun? A. The second on the forecastle.

Q. How long did you remain on the forecastle after the *Monmouth* commenced her fire on the *Repulse*? A. About a quarter of an hour.

Q. During the time you was on the forecastle, did you observe any transaction of a crow bar being introduced into a gun? A. No, I did not.

Court. How long did the firing last? A. I believe about an hour.

Pres. Have you any more evidence? A. I wish to call back Hollister.

HOLLISTER called in.

Q. Can you recollect any ways near the time of my quitting the Director, or the day before alluded to?

A. It was some short time before the *Repulse* got afloat.

Q. Had not the *Monmouth* ceased firing?

A. I believe she had.

Q. Which

Court. Which ceased firing first, the Director or the Monmouth?

A. I cannot positively say which, I was below.

Q. Did the Director cease firing before the Repulse got off?

A. I believe she did not.

Capt. Moss. How long had you been below at the time the Director was firing, previous to the Repulse being afloat?

A. My station being in the Magazine, I went down for the safety of the ship. I was backwards and forwards. I cannot tell.

Q. Was you in the Magazine from the commencement of the firing?

A. Not all the time.

Q. How long after the commencement of the firing was it that you went into the Magazine? A. About a quarter of an hour.

Q. How long did you remain there? A. About twenty minutes.

Q. Where did you go afterwards?

A. I went up between decks; there was a great deal of powder between decks, and the matches were carelessly carrying about. I went to prevent any accident.

Q. How long did you remain between decks?

A. Backwards and forwards, about three quarters of an hour.

Q. Were did you go to after the firing ceased?

A. I went up on the main deck after the firing ceased.

Q. Had the firing left off when you went on the main deck?

A. Yes.

Q. At what hour was it when the Prisoner left the Director?

A. It was late in the evening.

Q. Was it before or after sun-set?

A. Somewhere near about sun-set.

I have no more evidence.

Pres. You should consider the very heavy charges against you; the Court will give you time.

Parker. I wish to be informed whether the Court can wait till to-morrow? There are several other things; I have not had an opportunity of stating several other matters. I could shew I was very forward in delivering up the Sandwich. I hope the Court will allow me the indulgence.

The President informed him it could not be granted.

The Prisoner withdrew.

The Court was then cleared, at half past one o'clock.

The Court having deliberated for TWO HOURS AND A HALF, the Prisoner was called in; when the Deputy Judge Advocate read as follows:

“At a Court Martial held on board his Majesty's ship, Neptune, of 98 guns, lying in the river Thames, on Thursday the 22d day of June, 1797, and continued by adjournment till the 26th of the same month—Present:

(Here the Names of the Members were recited.)

The Court, pursuant to an Order of the Commissioners for executing the Office of Lord High Admiral, directed to Sir Thomas Paisley, have proceeded to try Richard Parker, being a person belonging to His Majesty's Fleet, on

on a charge for having attempted to make mutinous assemblies on board of the Sandwich, and divers other vessels at the Nore; and also on a charge of having behaved with contempt to the Officers on duty, and having disobeyed his superior Officers. The Court having heard witnesses in support of the Charges, and also the Prisoner in his defence, and the evidence in support of what he has alledged in his defence, are unanimously of opinion, that the whole of the Charges are FULLY PROVED, that the crime is as unprecedented as wicked; as ruinous to the Navy, as to the Peace and Prosperity of the Country. The Court doth therefore adjudge him to Death: And he is ordered to suffer death accordingly, at such time and place as the Lords Commanders of the Admiralty, or any three of them shall appoint."

Parker, the Prisoner, with a degree of fortitude and undismayed composure which excited the astonishment and admiration of every one, spoke as follows:

"I bow to your sentence with all due submission, being convinced I have acted from the dictates of a good conscience.—God, who knows the hearts of all men, will, I hope, receive me. I hope that my death alone will atone to the Country; and that those brave men who have acted with me will receive a general Pardon: I am satisfied they will all return to their duty with alacrity."

President. It is in the breast of the Court to order you for execution immediately, but we think it better to give you time to repent your crime.

Prisoner. I return you my thanks for the indulgence.

The Court adjourned at half past four.

The pressure of the crowd to hear the defence of Parker was immense,

FINIS

Richard Parker commonly supposed to be a Scotchman, was actually an Englishman. He actually sailed from the port of Aberdeen to London, and married a wife from Aberdeen. After his execution and his exposure on the gibbet, his wife arrived from Aberdeen, and by the assistance of her friends, they rescued him from the ignominious exposure. The Government apprehended her, but in a few days after they gave her a free pardon.

ACCOUNT

OF THE

TRYAL of SALLEY SALISBURY,

At the SESSIONS-HOUSE in the *Old Bailey*, on *Wednesday* the 24th of *April*, 1723. Before the Rt. Honourable Sir Gerard Conyers, Knight, Lord Mayor of the City of *London*; the Lord Chief Justice *Prat*, Mr. Justice *Tracy*, Mr. Baron *Price*, Sir *William Thompson*, Kt. Recorder, and several of His Majesty's Justices of the Peace for the City of *London*, and County of *Middlesex*.

THE Charge in her *Indictment* was, That she on the 22d of *December* last, in the 9th Year of His Majesty's Reign, violently, and with malice fore-thought, did make an Assault upon the Honourable *John Finch*, Esq; and with a Knife she held in her left Hand, did strike and wound Him upon the Left part of his Body, near the Pap, giving him a Wound of the Length of 1 Inch, and the Depth of 3 Inches, of which he long languish'd, and also, that she the said *Salley Salisbury*, &c. did at the Place, and time, and in the Manner aforesaid, violently and of her malice Fore-thought, the said Honourable *John Finch*, Esq; strike, and wound, with an Intention to Kill and Murther, contrary to the Peace of the King's Crown and Dignity, and the Statute in that Case made and provided. To which *Indictment* she pleaded *not Guilty*, and for her Tryal, put her self upon God and her Country.

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